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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,541	11/14/2003	Alexander G. Gibson	13938-E	2536

7590 12/11/2007  
LAW OFFICE OF  
DOUGLAS E. McKINLEY, Jr.  
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RICHLAND, WA 99352

EXAMINER
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ROBINSON, GRETA LEE

ART UNIT	PAPER NUMBER
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2168

MAIL DATE	DELIVERY MODE
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12/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/714,541

Applicant(s)

GIBSON ET AL.

Examiner

Greta L. Robinson

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) 23-28 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-32 are pending. Claims 23-28 and 32 are withdrawn. Claims 23-28 and 32 have been amended.

### ***Election/Restrictions***

2. Applicant's election with traverse of Group I (claims 1-14, and 29-31) in the reply filed on September 24, 2007 is acknowledged. The traversal is on the ground(s) that the non-elected claims have been amended to depend on independent claim 9, in which the graphical user interface is the same. Applicants further state that the elected claims are allowable. This is not found persuasive because the elected claims are not found allowable as set out below.

The requirement is still deemed proper and is therefore made FINAL.

3. This application contains claims 23-28 and 32 drawn to an invention nonelected with traverse in the reply filed on September 24, 2007. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### ***Drawings***

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show alternative "user can select template from a template library" (see page 16 lines 1-10 and Figure 4 step 156) as described in the specification. Any structural detail that is

essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d), Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

## **INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

### **Replacement Drawing Sheets**

Drawing changes must be made by presenting replacement sheets which incorporate the desired changes and which comply with 37 CFR 1.84. An explanation of the changes made must be presented either in the drawing amendments section, or remarks, section of the amendment paper. Each drawing sheet submitted after the

filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). A replacement sheet must include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of the amended drawing(s) must not be labeled as "amended." If the changes to the drawing figure(s) are not accepted by the examiner, applicant will be notified of any required corrective action in the next Office action. No further drawing submission will be required, unless applicant is notified.

Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and within the top margin.

### **Annotated Drawing Sheets**

A marked-up copy of any amended drawing figure, including annotations indicating the changes made, may be submitted or required by the examiner. The annotated drawing sheet(s) must be clearly labeled as "Annotated Sheet" and must be presented in the amendment or remarks section that explains the change(s) to the drawings.

### **Timing of Corrections**

Applicant is required to submit acceptable corrected drawings within the time period set in the Office action. See 37 CFR 1.85(a). Failure to take corrective action within the set period will result in ABANDONMENT of the application.

If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the "Notice of Allowability." Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136 for filing the corrected drawings after the mailing of a Notice of Allowability.

### ***Claim Rejections - 35 USC § 101***

#### **5. 35 U.S.C. 101 reads as follows:**

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 15-22 and 31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding claims 15-22 and 31, the specification defines the "computer readable medium" to include signal bearing transmission/communication media, and this type of medium is non-statutory [note: disclosure page 13 lines 4-18].

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-22 and 29-31 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: the universal processing agent [see: Figure 3 (108); page 22 lines 8-10].

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-7, 9-13, 15-21 and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Webber US Patent 5,909,570.

Regarding claim 1, **Webber** teaches a method for extracting and converting data from one or more information sources into a common format [note: Abstract "*facilitate conversion between data formats*"; col. 2 lines 60-67 *extracting and converting data* ], comprising:

receiving said information sources [note: Figure 1; col. 6 lines 57-64 "*the inbound computer dataset 2 represents the incoming information from remote sending computer's dataset that is to be received and processed by the host computer*" ];

receiving at least one pattern descriptor selected from a graphical user interface [note: col. 7 lines 9-38 *field descriptions 400 (parameters needed for mapping)* ];

receiving one or more templates, each of said templates having said at least one pattern descriptor [note: col. 6 line 65 through col. 7 line 9 "*the template mapping system 10 of the present invention, and is thereby restructured and reformatted to be compatible with receiving*" ];

applying said one or more templates to said information sources [note: col. 7 lines 39-45 *mapping template rules*];

generating said data in a common format by parsing said information sources with storing said data in said common format [note: col. 7 lines 39-51; col. 4 lines 23-49, col. 13 lines 23-49 ].

Regarding claims 2-3, "wherein storing said data in said common format, said method further comprises communicating said data to an application configured to process said common format ... wherein said application is a database application" [note: col. 5 lines 48-65 *EDI Application* ].

Regarding claim 4, "wherein said common format for said structured data is an Extensible markup Language (XML) format [note: Figure 14; col. 2 lines 16-54 *custom formats allow for conversion and exchange of information* ].

Regarding claims 5 and 6, "generating one or more templates by selecting a file from said information sources, and having a user select one or more pattern descriptors to describe said file ...further comprising permitting said user to define said one or more pattern descriptors" [note: Figures 1-3, col. 9 lines 5-12 rules define how data will be processed; col. 10 lines 3-7; also note col. 14 lines 32-67 ].

Regarding claim 7, "wherein before receiving and said one or more templates, said method further comprises permitting said user to select one or more templates from a template library" [note: col. 9 lines 5-12 *process rules 50* ].

Regarding claim 29, "wherein the information sources are selected from the group of structured information sources, semi-structured information sources, unstructured



information sources and combination thereof [note: col. 4 lines 20-49; col. 9 lines 53-60  
*may be configured to work with select data types* ].

The limitations of claims 9-13, 15-18, 20, 30 and 31 have been addressed above in  
claims 1-4, 7 and 29; therefore they are rejected under the same rationale.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all  
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 8, 14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webber US Patent 5,909,570 in view of Lennon US Patent 7,287,018 B2.

Webber teaches the invention substantially as applied to claim 1; however regarding claim 8, they do not explicitly teach storage bins consisting of an input bin, a wait bin, an incomplete bin, and complete bin". Lennon teaches descriptors can be complex data types that can be represented in a hierarchical fashion such as in bins [see: col. 15 lines 51-64]. Lennon et al. teaches the descriptors may be extended based on the existence or absence of stored descriptors [see: col. 15 line 64-col. 16 line 16]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Lennon et al. with Webber because various storage bins would provide a means of converting and transforming information into a compatible format.

The limitations of claims 14 and 22 have been addressed above in claim 8; therefore they are rejected under the same rationale.

### ***Conclusion***

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Michaelides US Patent Application Publication No. 2004/0181753 A1

Sampath et al. US Patent Application Publication No. 2002/0169803 A1

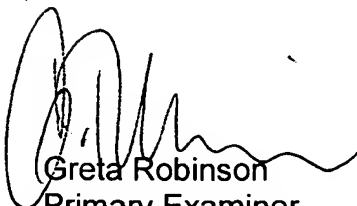
McKelvie et al. US Patent Application Publication No. 2003/0217096 A1

Jakubowski US Patent Application Publication No. 2002/0143821 A1

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Greta Robinson  
Primary Examiner  
December 07, 2007